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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,186	10/12/2001	Felix G.T.I. Andrew	2980	1415

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EXAMINER	
HANNE, SARA M	

ART UNIT	PAPER NUMBER
2173	2

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/976,186	ANDREW, FELIX G.T.I.	
	Examiner	Art Unit	
	Sara M Hanne	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☒ Claim(s) *3,6 and 13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 October 2001* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

1. Figures 1-2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "212" on line 15, page 25.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "800" and "902".

4. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

5. Claim 13 is objected to for being in improper dependent form. The claims are written in the form of a preamble made to depend on another claim. The stated preamble is not given patentable weight as it fails to breathe life, meaning, and vitality into the claims. As such, the claims fail to further limit the subject matter of the claim(s) upon which they depend. See MPEP §§ 608.01(n) and 2111.02.

6. Claim 13 is further objected to because of the following informalities: A dependent claim may refer to any preceding independent claim. Claim 13 should only depend upon previously stated claims, not future ones like Claim 14. See MPEP § 608.01(n). Appropriate correction is required.

7. Claims 3 and 6 are objected to for being in improper dependent form. Claim 3 recites the limitation "The system of claim 3" in line 1. Therefore, Claim 3 depends upon itself. It is unclear whether the applicant intended Claim 3 to depend upon Claim 1 or Claim 2. Furthermore, Claim 6 is dependent upon Claim 3. For examining purposes the claims treated as if they depend upon Claim 1.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1-7 and 9-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vale, US Patent 6359572 and Lui et al., US Patent 6552719. As disclosed by the applicant in Claims 1, 11 and 14, Vale teaches a system to provide user input using a plurality of software input methods independent of the application program, each with a panel configured to receive the user input based on user interaction therewith and a software input method manager configured to select one of the input methods to enable the user to interact with that input method to the application program ("The SIP manager 58 also provides a user interface enabling user selection from a displayable list of available input methods. A user interacting with the user interface may select an input method 64, and in response, the SIP manager 58 loads and calls the selected input method 64.", Column 4, Lines 30-34). Referring further to Claims 11 and 14 of the application, Vale also teaches returning key data to the application program corresponding to user interaction with the input panel ("This call is designed for Input Methods 64 that wish to provide enhanced functionality or information to applications. By way of example, a SIP-aware application may wish to know whether a character was entered by way of the SIP or by some other means.", Column 11, Lines 50-54). In additional reference to Claim 11 as well as Claims 9 and 23, Vale further teaches a

string of two characters or more to be sent to the application program when the corresponding display key is actuated ("a single dynamic key may represent multiple keystrokes", Column 17, Lines 45-46) and configuring the keys in this way (Claim 7 of Vale).

In accordance with Claims 2, 5-6, 14-15 and 20 of the application, Vale teaches application program state data to be sent to the SIP method manager from the application program, and more specifically as in Claims 7, 12 and 19, key related/configuration data is sent, such that some keys of the input panel are based on the aforementioned data. (via a prediction engine, "a prediction engine may base its predicted key based on a field in which the user is entering data.", Column 15, Lines 27-30) this information used configure the dynamic key(s) of the input method. Further in reference to these claims, the software input method manager selects the input method based on the data it receives and, referring to Claims 17 and 18 of the application, selects an input panel comprises loading an input method and/or notifying a loaded input method ("the SIP manager 58 loads and calls the selected input method 64.", Column 4, Lines 33-34). Referring to Claims 13 and 24 of the application, Vale also teaches a computer-readable medium having computer-executable instructions (Claim 10).

Vale further teaches the input method may be selected by a component external to the application program as in Claims 3, 16 and 21 of the application ("the input method may be selected by the user", Column 5, Lines 9-10), or by an external component of application program by a database as in Claim 22 of the application (a

default input method may be selected for use with a particular application.", Column 5, Lines 10-11). In accordance with Claim 10, Vale also teaches strings configurable by previous user input information ("prediction engines return one or more predicted characters ... in response to a series of one or more characters). A database storing the information of previous use would be essential to facilitate the above teachings of Vale.

While Vale teaches the soft input panel system and method including the assignment of keys as seen *supra* and selection of the input method, he does not teach this selection to be made according to the application program state data to be received at the software input method manager as recited in Claims 1, 11 and 14. Lui et al. teaches a soft input panel system ("Input Methods may be written by application vendors", Column 7, Lines 45-46) similar to that of Vale. In addition, Lui et al. further teaches the application program state, focused or unfocused as in Claim 4, to define which input method may be used ("Contemporary devices presently force the user to manually switch between a distinct text entry and a drawing application, or mode, with no intuitive mixing of text and graphics.", Column 1, Lines 44-47) by sending information to the software input method manager ("The application 29 will ordinarily cause this call to be made when requesting some special information from the Input Method 64. Two parameters are passed ... pointer to a block of data in the application 29.", Column 12, Lines 58-63).

It would have been obvious to one of ordinary skill in the art, having the teachings of Vale and Lui et al. at the time the invention was made, to modify the soft

input panel system and method including the assignment of keys as taught by Vale to include the selection of the input method according to application program state information of Lui et al., in order to obtain a multiple input system independent of the user's choice of input. One would have been motivated to make such a combination because a system controlled by the application state would have been obtained, as taught by Lui et al.

10. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vale and Lui et al., and further in view of Cobbley et al. US Patent Application Publication 2002/0085038. Vale and Lui et al. teach the methods of Claim 7 as seen *supra*. While Vale and Lui et al. teach the sending of key related data, they fail to show the use of XML format used to communicate the key-related data to the software input method as recited in the claims. Cobbley et al. teaches a keyboard similar to that of Vale and Lui et al. In addition, Cobbley et al. further teaches using of XML format to communicate key related data ("text entry blocks may use particular coding such as hypertext markup language (HTML) coding or other languages including extensible mark up language (XML)", Paragraph 15). It would have been obvious to one of ordinary skill in the art, having the teachings of Vale and Lui et al. and Cobbley et al. before him at the time the invention was made, to modify the key-related data communication taught by Vale and Lui et al. to include the useage of the XML format of Cobbley et al., in order to obtain the transmitting of key-related data using XML format. One would have been motivated to make such a combination because a more defined system would have been obtained, as taught by Cobbley et al.

Conclusion

11. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach choosing an input device according to application program information and configuring keys based on prediction methods and such.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

smh